**THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO**

**W.P.No.20451 of 2002**
**Date: 08-08-2007**

**Between:**
Vobilineni Akkayyamma

Petitioner

And

Mandal Revenue Officer,
Pamarru Mandal, Pamarru,
East Godavari District and others.

Respondents

**THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO**

**W.P.No.20451 of 2002**

**ORDER:**

1. Questioning the proposal of the Land Acquisition Officer and Sub-Collector, Rajahmundry, to acquire land of an extent of Ac.0.20 cents situate in Dangeru village of Pamarru Mandal, East Godavari, the writ petitioner has instituted this writ petition.

2. Heard the learned counsel for the writ petitioner and the learned Assistant Government Pleader for Land Acquisition.

3. The public purpose for which the land is needed to be acquired has been spelt out as "formation of road from Rajavyri, hamlet of Kota village to Dangeru village" which will be to the advantage of the villagers of Rajavyri and Dangeru. Invoking the urgency clause under Section 17 of the Land Acquisition Act (for short 'the Act'), the enquiry under Section 5-A has been dispensed with. The writ petitioner asserts that she is still in possession of the land in question and in fact, there are sustainable objections for the compulsory acquisition of the land in question, which perhaps when considered might result in dropping the very proposal of this compulsory acquisition itself. It is not in dispute that the writ petition is pending for the past five years and perhaps due to the interim orders passed by this court on 11-10-2002, the respondents could not have taken possession of the land and consequently the writ petitioner could still be in possession of the land. I therefore consider it appropriate to direct the Land Acquisition Officer to hold an enquiry under Section 5-A of the Act so as to give a fresh look to the objections raised by the petitioner and reconsider the compulsion of acquisition of this piece of land for the public purpose. The entire exercise shall be completed within a period of three months from now.

4. The writ petition stands disposed of, but however, without costs.

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NOOTY RAMAMOHANA RAO,J

08-08-2007

Stp